



PATENT # 2
Docket: 17259(AP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RE: Application of: Dolly, et al.)
Serial No. 09/294,980) Group: 1632
Conf. No. 6681)
Filed: April 19, 1999) Examiner: Falk, Anne Marie
Title: COMPOSITIONS AND)
METHODS FOR MODULATING)
NEURAL SPROUTING)

REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice of Non-Compliant Amendment (37 CFR 1.121) date mailed December 2, 2002,
Applicants have the following comments.

Enclosed is a copy of our amendment that was mailed on August 16, 2002 which included a marked version
of the claims on page 10 of our reply. We are also including a copy of the stamped return postcard which we
received back from the USPTO.

Respectfully Submitted,

Date: 12/11/02

Signature: Carlos A. Fisher

Carlos A. Fisher
Registration No. 36,510
ALLERGAN, INC.
Legal Department, T2-7H
2525 Dupont Drive
Irvine, CA 92623-9534
Telephone: (714) 246-4920
Fax: (714) 246-4249

CERTIFICATE OF MAILING

I Hereby Certify That This Correspondence Is, On The Date Shown Below, Being Deposited With The United States Postal
Service With Sufficient Postage As First Class Mail In An Envelope Addressed To: Box Non-Fee Amendment, Assistant
Commissioner For Patents, Washington, D.C. 20231

Signed: Bonnie Ferguson

Date: 12/11/2002

Name: Bonnie Ferguson

Date of Signature: 12/11/2002



COPY

Box RCE

Rec'd in USPTO/PCT Office. Date Stamp and Return Card.

Date: 8/16/02

Serial No.: 09/294, 980

Title: COMPOSITIONS AND METHODS FOR MODULATING...

Dkt. No.: 17259(AP)

Enclosed Are:

- | | |
|--|---|
| <input type="checkbox"/> Specification # _____, Claims # _____, and Abstract # _____ | <input type="checkbox"/> Declaration, Power of Attorney |
| <input type="checkbox"/> Drawings (_____ sheets)
_____ Formal _____ Informal | <input type="checkbox"/> Assignment & Cover Sheet |
| <input type="checkbox"/> Info. Disc. Statement | <input checked="" type="checkbox"/> Amendment (Final) (# pgs. 10) |
| <input type="checkbox"/> Priority Documents # _____ | <input checked="" type="checkbox"/> Certificate of Mailing |
| <input type="checkbox"/> PTO 1449 W/References | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> PCT Request (# pgs. _____) | <input checked="" type="checkbox"/> Transmittal Letter (RCE) |
| <input type="checkbox"/> PCT Demand (# pgs. _____) | <input checked="" type="checkbox"/> Extension of Time - one month |
| <input type="checkbox"/> PCT Response (# pgs. _____) | <input type="checkbox"/> Express Mail No. _____ |
| <input type="checkbox"/> PCT Amendment (# pgs. _____) | <input checked="" type="checkbox"/> AMENDMENT TRANSMITTAL |

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Rec'd in USPTO/PCT Office. Date Stamp and Return Card.

Date: 8/16/02

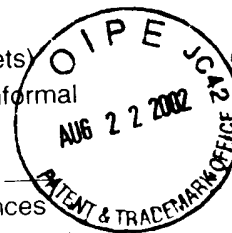
Serial No.: 09/294, 980

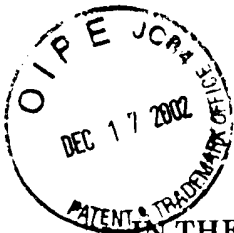
Title: COMPOSITIONS AND METHODS FOR MODULATING...

Dkt. No.: 17259(AP)

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_____ Formal _____ Informal | <input type="checkbox"/> Assignment & Cover Sheet |
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| <input type="checkbox"/> PCT Response (# pgs. _____) | <input type="checkbox"/> Express Mail No. _____ |
| <input type="checkbox"/> PCT Amendment (# pgs. _____) | <input checked="" type="checkbox"/> AMENDMENT TRANSMITTAL |





PATENT
Docket: 17259(AP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE: Application of: Dolly, et al.)
Serial No. 09/294,980) Group: 1632
Conf. No. 6682) Examiner: Baker, A..
Filed: April 19, 1999)
Title: COMPOSITIONS AND)
METHODS FOR MODULATING)
NEURAL SPROUTING)

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Commissioner of Patents
Washington, D.C. 20231

REPLY AND AMENDMENT

Transmitted herewith is an Amendment in the above-identified application.

Enclosed are:

- 1) Reply and Amendment (10 pgs.)
- 2) Transmittal Letter
- 3) Return/Stamped Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Box Amendment-Fee, Assistant Commissioner for Patents, Washington, D.C. 20231 on

8/16/2002
(Date of Deposit)

8/16/2002
Date of Signature

Name of person mailing correspondence:

BONNIE FERGUSON

Signature

Bonnie Ferguson

The fee has been calculated as shown below:

CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	8	MINUS	23	= 0 ×	\$18	= \$0.00
Independent Claims	1	MINUS	3	= 0 ×	\$84	= \$0.00
If application has been amended to contain multiple dependent claim(s), then add				No	\$280	= \$0.00
(Select only one)				one month	\$110	= \$110.00
Time Extension Fees:				two months	\$400	= \$*
				three months	\$920	= \$*
				four months	\$1,440	= \$*
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$110.00

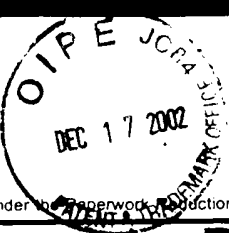
- () A check in the amount of \$* is enclosed (place fee in here i.e., petition, excess claims, etc.)
- (x) The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (associated with petition fees or excess claim fees) which may be required, or credit any overpayment to Deposit Account No. 01-0885. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

Date: 8/16/02

Signature: Carlos A. Fisher

Carlos A. Fisher
Registration No. 36,510
Legal Department, T2-7H
ALLERGAN, INC.
2525 Dupont Drive
Irvine, CA 92612
Telephone: (714) 246-4920
Fax: (714) 246-4249



**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**
Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/294,980
Filing Date	April 19, 1999
First Named Inventor	Dolly
Art Unit	1632
Examiner Name	Baker
Attorney Docket Number	17259 (AP)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0885
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Carlos A. Fisher	Registration No. (Attorney/Agent)	36,510
Signature	<i>Carlos A. Fisher</i>	Date	August 16, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	BONNIE FERGUSON	Date	8/16/2002
Signature	<i>Bonnie Ferguson</i>		



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/294,980	04/19/1999	J. OLIVER DOLLY	17259(AP)	6681

7590 12.02.2002
CARLOS A FISHER
ALLERGAN INC
2525 DUPONT DRIVE
IRVINE, CA 92612

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EXAMINER

FALK, ANNE MARIE

ART UNIT PAPER NUMBER

1632

DATE MAILED: 12/02/2002

2
COPY

Please find below and/or attached an Office communication concerning this application or proceeding.

RESPONSE DUE Jan. 2, 2003
ACTION Marked up Version
of Amended
Claims



DEC 17 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 8/22/02 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☒ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other _____
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner

Anne-Marie Falk
ANNE-MARIE BAKER
PATENT EXAMINER